

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF AIKEN)	
)	CASE NO. 2008-CP-02-1647
)	
)	
IN RE:)	
)	PETITIONER'S ANSWERS TO THE
THE ESTATE OF JAMES BROWN)	LIMITED SPECIAL ADMINISTRATOR'S
A/K/A JAMES JOSEPH BROWN)	FIRST INTERROGATORIES
)	TO TOMMIE RAE BROWN
)	
)	

Petitioner, Mrs. Tommie Rae Brown, by and through her undersigned attorneys, hereby responds to the Limited Special Administrator's First Interrogatories to Tommie Rae Brown, pursuant to Rule 33(b) of the South Carolina Rules of Civil Procedure, as follows:

GENERAL OBJECTIONS

Petitioner objects to these Interrogatories to the extent that they seek information protected by the attorney-client privilege or the work product doctrine. If any document or other material protected by either of these doctrines is inadvertently produced, that is not to be deemed a waiver of the protection afforded to the information or those documents, and Petitioner requests that Respondents return any such document to the undersigned.

Petitioner further objects to the discovery requests because they are overly broad, oppressive, unduly burdensome, and neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence, in that they contain vague terms, are not limited in scope, and are not limited to the relevant time period.

Petitioner does not concede the relevance or materiality of these interrogatories, the subject matter of these interrogatories, or information produced in response to these

interrogatories. Petitioner reserves the right to question the competency, relevancy, materiality, privilege and admissibility of any response, information referred to herein or documents produced in connection with any such response. Petitioner also reserves the right to revise, correct, supplement or clarify any of the answers or documents referred to herein.

The above objections, privileges, and immunities are asserted in response to each of the following interrogatories as if set forth verbatim at the beginning of the answers to each interrogatory.

Without waiving these objections, Petitioner hereby answers the individual interrogatories as follows:

ANSWERS TO INTERROGATORIES

- I. Give the names and addresses of persons known to You to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
 - Charles Bobbit: Atlanta, GA
 - Albert "Buddy" Dallas: [REDACTED] Thomson, GA 30824
 - James B. Huff, Esq.: [REDACTED], North Augusta, SC
 - Dewain Herring: [REDACTED]
Columbia, SC 29210
 - David Cannon: Barnwell, SC
 - Jay B. Ross: Jay B. Ross & Associates, [REDACTED] Chicago, IL 60642
 - Frank Copsidas: Maine
 - Larry Fridie: Augusta, Georgia
 - Jewel Libby: Augusta, Georgia
 - Vicki Anderson Byrd (Myra Barnes): [REDACTED] Houston, Texas 77071
 - Andre Moses White: Atlanta, GA
 - Keith A. Graham (Head of Security: "Snowman"): Executive Bodyguard Service LLC, [REDACTED] Newark, CA 94560-2511
 - Dr. Tommie Richardson: Psyche Ward in Atlanta, GA: [REDACTED]
[REDACTED] Smyrna, Georgia 30080

No written statements other than Jay B. Ross, who provided an affidavit, and Charles Bobbit, who has been deposed.

2. For each person known to You to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.

- **Charles Bobbit**: He can testify that James Brown had another will after the 2000 will, that Charles Bobbit had a copy of it, and that James Brown signed it.
- **Albert "Buddy" Dallas**: He can testify about events surrounding the purported prenuptial agreement, his handling of James Brown's financial affairs, and his financial relationship with the children so he could benefit from the will, and his involvement with the will.
- **James B. Huff, Esq.**: He can testify about the events surrounding the purported prenuptial agreement.
- **Dewain Herring**: He can testify to conversations with various people about the writing of the will.
- **David Cannon**: He can testify to the events surrounding the purported prenuptial agreement and his handling of James Brown's financial affairs for his own benefit, his procurement of the will, events surrounding the will, and threatening my husband with legal issues.
- **Jay B. Ross**: He can testify to James Brown having another will after the 2000 will was executed in which James Brown provided Petitioner 17.5% of the estate and also provided for James Brown II.
- **Frank Copsidas**: He can testify about Mr. Brown's mental condition, drug problems, and reliance on Buddy Dallas.
- **Larry Fridie**: He can testify to the mental state of James Brown and his use of drugs.
- **Jewell Libby**: She can testify as to how Mr. Brown was treated by Buddy Dallas, David Cannon, and Alfred Bradley and Mr. Brown's drug use.
- **Vicki Anderson Byrd (Myra Barnes)**: She can testify to James Brown's mental state at the time he signed the 2000 will, as well as her relationship with James Brown and Petitioner. She knew James Brown for 50 years (Widow of Bobby Byrd).
- **Andre Moses White**: manager, promoter, bodyguard, and friend of James Brown; he was at the hospital the day before Mr. Brown died and can testify to the events surrounding Mr. Brown's death.
- **Keith A. Graham ("Snowman")**: He was head was head of security and can testify to James Brown's use of drugs and his mental state.
- **Dr. Tommie Richardson**: He can testify to his treatment of James Brown in a psyche ward in Atlanta, GA about the time he executed the 2000 will.

3. Set forth a list of photographs, plats, sketches or other prepared documents in Your possession that relate to any claim or defense in the case.

All documents in the Joint Stipulation of Facts. *See also* the memorandums, briefs, and other documents previously filed with the Court.

4. List the names and addresses of any expert witnesses You propose to use as a witness at the trial of the case.

None at this time.

5. Identify every physician, psychiatrist, psychologist, or other practitioner of the healing arts who was consulted by, performed an examination of, or rendered medical treatment to Decedent during the period beginning January 1, 1999 through December 25, 2006.

Dr. Tommie Richardson – Psychiatrist and Addictionologist: signed paperwork for an involuntary psychiatric hold on Mr. Brown.

Dentist(s).

Doctors at Emory Crawford Long Hospital in Atlanta where Mr. Brown passed away in 2006.

6. Set forth all facts and other evidence supporting the contention that, when Decedent executed the Will and/or Trust, he was not mentally capable of knowing: a. the nature and extent of his property; b. the objects of his bounty; and/or c. that he was making a will which would result in a disposition of property after his death.

In 2000, my husband was put in Charter Behavioral in Atlanta, and at the time his children were suing him for rights to Get Up Offa That Thing. Dr. Tommie Richardson diagnosed him as bi-polar and a manic depressive.

My husband's latest will went against the plans of Albert Dallas, David Cannon, and Alfred Bradley. Under my husband's last will, he provided for both me and my son.

My husband was using drugs around the time the 2000 will was executed.

My husband was almost illiterate and could not understand by reading what was prepared for him to sign. He trusted that the documents he signed were what he asked for, and he could not read them to verify that was the case.

7. Set forth all facts and other evidence supporting the contention that any person used coercion or exercised undue influence against Decedent related to execution of the Will and/or Trust. For each such incident of undue influence or coercion, identify each person involved, the approximate date or dates of the incident, and describe the facts and nature of such incident of undue influence.

Dallas, Cannon, and Bradley constantly threatened Mr. Brown with a third strike and life in prison if he did not do as they say.

Buddy Dallas, David Cannon, and Alfred Bradley secured a Pullman bond and took millions from a brokerage account they had set up. The broker never met my husband.

David Cannon 7th Decade Productions: Cannon would get all the money in for performances, funneled it through his company 7th Decade Productions, and he paid Mr. Brown a set amount. He made Mr. Brown sign a contract as to how many shows he would do each year. David Cannon and Buddy Dallas controlled the money coming in and disbursed money to Mr. Brown after they took out their huge management fees. They ultimately convinced Mr. Herring to draft the trust document so they would receive management fees of 50% from the gross revenues. Cannon threatened my husband with tax issues to get him to do what he said.

My husband was mostly illiterate and dyslexic and could not know what he was signing.

Dwayne Herring had Mr. Brown sign an unexecuted blank real estate deed. Mr. Brown only met with Mr. Herring once in person and talked to him twice on the phone. Other than that, David Cannon was always the one on the phone. Cannon would send letters and faxes to Herring requesting what Mr. Brown wanted without first consulting with Mr. Brown.

Roosevelt Johnson signed on behalf of my husband on several occasions.

8. Identify each person you contend unduly influenced Decedent to create and execute the Will and/or Trust.

David Cannon, Alfred Bradley, Buddy Dallas, and Dewain Herring.

9. For each person listed in response to Interrogatory 8, Identify each such person whom you contend had a confidential and/or fiduciary relationship with Decedent. For each such person, set forth all facts and other evidence supporting the contention that person had a confidential and/or fiduciary relationship with Decedent.

Cannon, Bradley, and Dallas all had confidential and fiduciary relationships with my husband. They jointly held a Power of Attorney for my husband, and they were in charge of his finances.

Pullman bond – see answer to Interrogatory #7 above.

David Cannon 7th Decade Productions: All of my husband's money went through David Cannon first. Cannon would get all the money in for performances and paid my husband a set amount. He made my husband sign a contract as to how many shows he would do each year, and he threatened my husband with tax issues.

Cannon continued to do what was best for Cannon even after Mr. Brown's death. After being Ordered by Judge Early NOT to act as a PR and being removed from that position, Cannon signed a tax return as PR for the estate and instructed the accountant to mail the same to the IRS. When questioned about his actions under oath, Cannon admitted that he knew he was not a PR anymore and did it against Judge Early's prohibition and he was willing to take the heat for it. Judge Early then found him in contempt of Court.

Dallas testified under oath that he filed a false document as a PR knowing it was not true because he did not want to lose his position as PR. This testimony was elicited when Alan Medlin was cross examining him.

These are examples of men who would do anything to stay in power even after my husband's death.

10. Separately for each person You have Identified in response to Interrogatory 8, do you contend such person received an undue benefit from Decedent's Estate Plan, Will and/or Trust? If so, for each such person, set forth all facts and other evidence supporting your contention.

Yes. See the 2000 will under which they were to receive exorbitant fees for their roles as fiduciaries after my husband's death.

11. Do You contend that suspicious circumstances surrounded the preparation, formulation, and/or execution of the Estate Plan, Will, and/or Trust? If so, set forth all facts and other evidence supporting Your contention.

Yes. He couldn't understand from reading it. They told him they read it for him, that it was alright, and that it was what they had went over with him before. They claimed it was standard.

12. Set forth all facts and other evidence supporting the contention Decedent was not acting of his own free will in executing the Will and/or Trust.

They had my husband drugged up. He was told that if he didn't sign the documents he wasn't getting anything.

13. Describe each incident in which you contend David G. Cannon ("Cannon"), Albert H. Dallas ("Dallas"), and Alfred A Bradley ("Bradley") practiced fraud upon Decedent, resulting in his execution of the Will and/or Trust and set forth all facts and evidence supporting your contention.

They had my husband drugged up and in fear of a third strike.

Bradley – He was responsible for paying my husband's band members, but he kept money for himself.

Cannon – He fraudulently signed an approximately \$1 million check the day after my husband died.

14. Set forth each misrepresentation You contend was made to Decedent relating to his execution of the Will and/or Trust. For each such misrepresentation, Identify the person making the misrepresentation, the person to whom the misrepresentation was made, the approximate date on which the misrepresentation was made, and describe the misrepresentation.

My husband was under the influence on the audio recording of his estate plan.

Cannon, Dallas and Bradley all knew he was dyslexic and mostly illiterate – they put things in front of his face, told him what the documents said, and he signed.

15. Set forth all facts and other evidence supporting the contention that Decedent lacked the requisite intent to execute the Will and/or Trust.

My husband did not read the 2000 will and trust documents; he did not write them. He trusted that the 2000 will and trust were what he said he wanted. However, the 2000 will and trust are what Cannon, Dallas, and Bradley wanted, not my husband.

16. Set forth all facts and other evidence supporting the contention that Decedent, during his lifetime, maintained such complete and continuing control over all entities and other assets purportedly owned by the Trust that he had until his death the same rights in the assets after the creation of the Trust that he had before its creation.

Dallas testified that James Brown controlled everything and that he, Bradley, and Cannon were not controlling any assets as trustees of the 2000 trust.

17. Set forth all facts and other evidence supporting the contention Decedent treated the Trust as a revocable trust during Decedent's lifetime.

Dallas testified that James Brown controlled everything and that he, Bradley, and Cannon were not controlling any assets as trustees of the 2000 trust.

18. Set forth all facts and other evidence supporting the contention Decedent controlled Trust assets during his lifetime and/or otherwise acted inconsistently with the Trust being an irrevocable trust.

See Answer to Interrogatory # 16 above.

19. Identify every Communication between You and H. Dewain Herring.

I have never spoken to Mr. Herring other than cordial greetings and salutations.

20. Describe the circumstances under which the Will was executed.

See Answers to Interrogatories 11-16 above. For my husband's latest will, however, he sought out assistance from Jay B. Ross and executed this will outside of the influence of Dallas, Bradley and Cannon. He executed this will to take care of me and our son.

21. Set forth each way in which Albert Dallas benefited and/or could have benefited from the portions of the Estate Plan procured by undue influence.

See 2000 will and trust documents and the exorbitant fee he was to receive. Also, Dallas testified under oath that he filed a false document as a PR knowing it was not true because he did not want to lose his position as PR. This occurred when Alan Medlin was cross examining him. Dallas, Cannon, and Bradley gave themselves a 50% management fee.

22. Set forth each way in which Alfred Bradley benefited and/or could have benefited from the portions of the Estate Plan procured by undue influence.

See 2000 will and trust documents and the exorbitant fee he was to receive.

23. Set forth each way in which David Cannon benefited and/or could have benefited from the portions of the Estate Plan procured by undue influence.

See 2000 will and trust documents and the exorbitant fee he was to receive. Also, Cannon owned 7th decade – not my husband. Cannon ran all monies through his company and paid my husband a salary because he had told my husband this was the way it had to be or my husband would go to jail for tax fraud.

Cannon continued to do what was best for Cannon even after Mr. Brown's death. After being Ordered by Judge Early NOT to act as a PR and being removed from that position, Cannon signed a tax return as PR for the estate and instructed the accountant to mail the same to the IRS. When questioned about his actions under oath, Cannon admitted that he knew he was not a PR anymore and did it against Judge Early's prohibition and he was willing to take the heat for it. Judge Early then found him in contempt of Court.

24. Set forth all facts and other evidence that Decedent suffered from mental incapacity and/or incompetency when he executed the Will, Trust, and other related documents.

My husband was on drugs and had been committed to Charter Behavioral Hospital.

25. Set forth all facts and other evidence that Decedent suffered from physical incapacity when he executed the Will, Trust, and other related documents.

My husband had doctors come in and help him walk. The drugs he took would swell up his legs. I had to rub his legs for hours each day for him to keep working.

26. Set forth all facts and other evidence that Decedent was in a weakened physical and/or mental condition when he executed the Will, Trust, and other related documents.

My husband signed the 2000 will and trust documents during the time he just found out he had prostate cancer. His stomach was bloated. He had diabetes too. He was committed to Charter Behavioral Hospital. Dr. Tommie Richardson diagnosed him as bi-polar and a manic depressive.

27. Set forth all facts and other evidence that Decedent exercised complete and continuing control over all entities and other assets purportedly owned by the Trust.

Dallas testified that James Brown controlled everything and that he, Bradley, and Cannon were not controlling any assets as trustees of the 2000 trust.

28. Set forth all facts and other evidence that the Trust was created by the Decedent in an effort to deny Petitioner the right to claim a spousal share of his estate.

There are communications from David Cannon/Buddy Dallas and D. Herring asking D. Herring how to keep me from my spousal share. These letters were not sent at my husband's direction.

29. Set forth all facts and other evidence that Decedent had full and unfettered access to the assets purportedly owned by the Trust.

Dallas testified that James Brown controlled everything and that he, Bradley, and Cannon were not controlling any assets as trustees of the 2000 trust.

30. Identify all video and/or audio recordings that include the Decedent relating to the claims and/or defenses in this Action.

Inside Edition Interview from 2006: Available at:

<http://www.insideedition.com/videos/2920-flashback-ie-interviews-james-brown-in-2006>

Soul Survivor – The James Brown Story: Available at:

<https://www.youtube.com/watch?v=MBKz8pDNuto>

James Brown's House: Available at:

<https://www.youtube.com/watch?v=Yag3d1ucHw>

Howard Stern interviews: January 30, 2003, September 17, 2003, January 11, 2005, and November 1, 2005

James Brown Interview (at Beech Island home in September 2006)

James Brown Estate Planning Video from February 24, 1999

Larry King Live interview with Mrs. Brown from January 3, 2007 (photos of Mr. and Mrs. Brown's wedding shown)

John F. Kennedy Center for the Performing Arts: Kennedy Center Honors (2003)

BBC Four Sessions (2003) available at:

<https://www.youtube.com/watch?v=qvDLTnJ42Kw>

Life on the Road with Mr. and Mrs. Brown (2009)

31. Identify all video and/or audio recordings that include the Decedent being interviewed, from January 1, 1999 through December 25, 2006.

Inside Edition Interview from 2006: Available at:

<http://www.insideedition.com/videos/2920-flashback-ie-interviews-james-brown-in-2006>

Soul Survivor – The James Brown Story: Available at:

<https://www.youtube.com/watch?v=MBKz8pDNuto>

Howard Stern – January 30, 2003, September 17, 2003, January 11, 2005, and November 1, 2005

VHI Inside Out Last Chance 2004

Comcast Connect Live – December 11, 2006 (James Brown called Mrs. Brown his wife)

James Brown Interview (at home in September 2006)

James Brown Estate Planning Video from February 24, 1999

Life on the Road with Mr. and Mrs. Brown (2009)

Austin Rhodes Show – Every Christmas/Thanksgiving Mr. and Mrs. Brown Turkey/Toy giveaway

NPR Interviews

Jonathan Ross Show – June 29, 2005

**Glastonbury – Live 8 for presidents of nations – Available at:
<https://www.youtube.com/watch?v=OuFqzef7-gw>**

32. Identify all video and/or audio recordings that include the Decedent participating in impromptu and/or informal activities, from January 1, 1999 through December 25, 2006.

Wedding ceremony footage (2001)

James Brown Interview (at home in September 2006)

Life on the Road with Mr. and Mrs. Brown (2009)

BET Awards show 2003

Home videos

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September 14, 2015
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